

COMMITTEE AMENDMENT FORM

DATE: 11/01/ 06

COMMITTEE ZONING PAGE NUM. (S) _

ORDINANCE I. D. #06-O-1956 SECTION (S)

RESOLUTION I. D. #06-R- PARA.

AMENDS THE LEGISLATION BY ADDING ONE (1) CONDITION.

AMENDMENT DONE BY COUNCIL STAFF 11/01/06.

City Council
Atlanta, Georgia

06-O-1956

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-100
Date Filed: 8-8-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1374 Murphy Avenue, S.W.**, be changed from the I-2 (Heavy Industrial) District to the MR4A -C (Multi-family Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 120, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR Z-06-100 for 1374 Murphy Avenue, S.W.

1. The required Useable Open Space shall not be reduced.

City Council
Atlanta, Georgia

06-~~Q~~-1956

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BY: ZONING COMMITTEE

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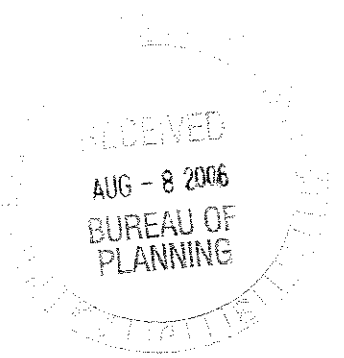
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SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

7. [Sewer Easement] Agreement between E. A. Holcombe and James N. Holcombe, Pioneer Middle and Reed Company, Inc., a Corporation, and Massell Foundation, Inc., a corporation, dated October 4, 1954, filed for record April 10, 1958 at 11:02 a.m., recorded in Deed Book 3321, Page 29, aforesaid Records. (Does affect--Approximate location shown)
8. Easement as created by Notice of Order and Judgment Affecting Interest in Real Estate pursuant to Final Order and Judgment of the Court on Certifying a Class and Approving Settlement to Class Corridor, LLC, a Delaware limited liability company, dated as of September 5, 2001, filed for record May 6, 2005 at 2:11 p.m., recorded in Deed Book 39942, Page 584, aforesaid Records. (Not plottable)

Z-06-100



LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 120 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point on the northerly right-of-way of Arden Avenue (a 50 foot right-of-way) at the easterly end of a right-of-way arc; thence proceed along a clockwise curve having a radius of 15.00 feet, an arc distance of 21.72 feet to a point on the southeasterly right-of-way of Murphy Avenue (a 50 foot right-of-way) (said arc has a chord of 19.87 feet and a chord bearing of N 38°54'55" W); thence along Murphy Avenue N 16°32'00" E a distance of 359.46 feet to a point at the southwesterly end of a right-of-way arc; thence along a clockwise curve having a radius of 13.72 feet, an arc distance of 19.56 feet to a point on the southerly right-of-way of Dill Avenue (a 50 foot right-of-way) (said curve has a chord of 17.95 feet and a chord bearing of N 56°47'00" E); thence along Dill Avenue S 89°06'08" E a distance of 69.77 feet to a point; thence along a counterclockwise curve having a radius of 820.72 feet, an arc distance of 175.20 feet to a point (said curve has a chord of 174.87 feet and a chord bearing of N 84°50'32" E); thence N 77°09'52" E a distance of 49.46 feet to an ip; thence leave Dill Avenue and proceed S 01°29'26" W a distance of 187.92 feet to a 1/2" rebar; thence S 01°29'26" W a distance of 215.90 feet to a 1/2" rebar on the northerly right-of-way of Arden Avenue; thence along said right-of-way N 88°47'19" W a distance of 386.56 feet to the POINT OF BEGINNING. This tract or parcel contains 3.073 acres (133,860 square feet) of land.

SURVEYORS CERTIFICATION

I, the undersigned, hereby certify to Longstreet Capital, L.L.C., a Georgia limited liability company, and Chicago Title Insurance Company, that this print of survey is based on a survey made by John A. Steerman, Registered Land Surveyor No. 2576, on (8/4/2006) and that this print of survey correctly shows the location of all buildings, structures, and other improvements situated on the premises herein described and that except as shown hereon, there are no visible easements or rights-of-way across said premises, or easements or rights-of-way which the undersigned has been advised, or party walls or encroachments upon adjoining premises, streets or alleys by any of said buildings, structures or other improvements, or cemeteries or family burying grounds, or encroachments of any nature upon the premises herein described. I, further certify that the abuts an accessible street or that there is ingress and egress to and from the property.

Dated: 8-7-06

John A. Steerman
John A. Steerman
Registered Land Surveyor No. 2576



RCS# 503
9/05/06
2:54 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1919,1920,06-O-1949,1950,1951,1952
1953,1954,1955,1956
REFER

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 3
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	E Martin	Y Norwood
Y Young	Y Shook	B Maddox	E Willis
NV Winslow	Y Muller	E Sheperd	NV Borders

MULTIPLE